

August 30, 2013

Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

**Re: NERC Full Notice of Penalty regarding City of College Station,  
FERC Docket No. NP13-\_-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Notice of Penalty<sup>1</sup> regarding City of College Station (COCS), NERC Registry ID# NCR04032,<sup>2</sup> in accordance with the Federal Energy Regulatory Commission's (Commission or FERC) rules, regulations and orders, as well as NERC's Rules of Procedure including Appendix 4C (NERC Compliance Monitoring and Enforcement Program (CMEP)).<sup>3</sup>

COCS is a city council-governed municipal electric utility and a non-generating Transmission Owner (TO). COCS owns approximately 20 miles of 138 kV transmission lines with approximately 34,000 connected distribution meters.

This Notice of Penalty is being filed with the Commission because Texas Reliability Entity, Inc. (Texas RE) and COCS have entered into a Settlement Agreement to resolve all outstanding issues arising from Texas RE's determination and findings of the violations<sup>4</sup> of EOP-001-0 R3.3 and EOP-003-1

<sup>1</sup> *Rules Concerning Certification of the Electric Reliability Organization; and Procedures for the Establishment, Approval, and Enforcement of Electric Reliability Standards* (Order No. 672), III FERC Stats. & Regs. ¶ 31,204 (2006); *Notice of New Docket Prefix "NP" for Notices of Penalty Filed by the North American Electric Reliability Corporation*, Docket No. RM05-30-000 (February 7, 2008). See also 18 C.F.R. Part 39 (2011). *Mandatory Reliability Standards for the Bulk-Power System*, FERC Stats. & Regs. ¶ 31,242 (2007) (Order No. 693), *reh'g denied*, 120 FERC ¶ 61,053 (2007) (Order No. 693-A). See 18 C.F.R § 39.7(c)(2).

<sup>2</sup> Texas Reliability Entity, Inc. confirmed that COCS was included on the NERC Compliance Registry as a Load-Serving Entity, Transmission Owner, Transmission Operator (TOP), and Transmission Planner. As a TOP since April 4, 2010, COCS is subject to the requirements of NERC Reliability Standards included in this Full Notice of Penalty.

<sup>3</sup> See 18 C.F.R § 39.7(c)(2).

<sup>4</sup> For purposes of this document, each violation at issue is described as a "violation," regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

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R5. According to the Settlement Agreement, COCS neither admits nor denies the violations, but has agreed to the assessed penalty of twelve thousand dollars (\$12,000), in addition to other remedies and actions to mitigate the instant violations and facilitate future compliance under the terms and conditions of the Settlement Agreement. Accordingly, the violations identified as NERC Violation Tracking Identification Numbers TRE2012011232 and TRE2013012473 are being filed in accordance with the NERC Rules of Procedure and the CMEP.

**Statement of Findings Underlying the Violations**

This Notice of Penalty incorporates the findings and justifications set forth in the Settlement Agreement executed on August 20, 2013, by and between Texas RE and COCS, which is included as Attachment a. The details of the findings and basis for the penalty are set forth in the Settlement Agreement and herein. This Notice of Penalty filing contains the basis for approval of the Settlement Agreement by the NERC Board of Trustees Compliance Committee (NERC BOTCC). In accordance with Section 39.7 of the Commission’s regulations, 18 C.F.R. § 39.7 (2013), NERC provides the following summary table identifying each violation of a Reliability Standard resolved by the Settlement Agreement, as discussed in greater detail below.

Region	Registered Entity	NOC ID	NERC Violation ID	Reliability Std.	Req. (R)	VRF	Total Penalty
Texas Reliability Entity, Inc.	City of College Station	NOC-2140	TRE2012011232	EOP-001-0	R3.3	Medium	\$12,000
			TRE2013012473	EOP-003-1	R5	High	

EOP-001-0 R3.3

The purpose statement of Reliability Standard EOP-001-0 R3 provides: “Each Transmission Operator and Balancing Authority needs to develop, maintain, and implement a set of plans to mitigate operating emergencies. These plans need to be coordinated with other Transmission Operators and Balancing Authorities, and the Reliability Coordinator.”

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EOP-001-0 R3.3 provides:

R3. Each Transmission Operator and Balancing Authority shall:

R3.3. Develop, maintain, and implement a set of plans for load shedding.

EOP-001-0 R3.3 has a “Medium” Violation Risk Factor (VRF) and a “High” Violation Severity Level (VSL). The subject violation applies to COCS’s Transmission Operator (TOP) function.

System conditions on the day the violations of EOP-001-0 R3.3 and EOP-003-1 R5 occurred:

On February 2, 2011, Texas experienced unseasonably cold weather conditions. Reserve margins in the Electric Reliability Council of Texas (ERCOT) region fell in the morning that day due to cold weather-related generating unit forced outages and de-ratings (Event). ERCOT declared an Energy Emergency Alert - 3 (EEA - 3) at 05:43 am that morning and made a hotline call to inform entities in ERCOT of the EEA-3 and on-line reserve levels. An EEA-3 is declared when ERCOT has difficulty maintaining a system frequency of 59.8 Hz and firm load will need to be shed. During the call to entities, ERCOT issued the first directive to shed 1,000 MW of firm load (including a call to COCS). COCS had 30 minutes to meet its firm load shed obligation. At 06:04 am, 21 minutes after issuing its first order for 1,000 MW of firm load shed, ERCOT issued another directive, shedding an additional 1,000 MW of firm load. At 06:23 am, 19 minutes after issuing the second order for 1,000 MW of firm load shed, ERCOT issued a third load shed directive for an additional 2,000 MW firm load (4,000 MW total). ERCOT issued directives from 07:57 am to 1:07 pm that gradually restored the firm load.

On October 2, 2012, Texas RE performed a Spot Check of COCS and determined that the COCS’s plan for load shedding was not developed or maintained as required by EOP-001-0 R3.3. The plan did not include the amount of load that COCS was obligated to shed, or the sequence in which feeders were to be shed. For example, the plan for load shedding included a list of feeders from which to shed load but that list was not maintained because the list included six feeders named “future,” which were placeholders for future planned feeders. However, the six future feeders were in use, were actually connected to load, and were shed during the Event although they were unnamed, not marked essential or non-essential, or assigned to particular time steps for the shedding program.

Texas RE determined the duration of the violation to be from May 4, 2010, the date COCS was registered as a TOP, through April 13, 2011, when COCS’s load shed plan was approved.

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#### EOP-003-1 R5

The purpose statement of Reliability Standard EOP-003-1 R5 provides: “A Balancing Authority and Transmission Operator operating with insufficient generation or transmission capacity must have the capability and authority to shed load rather than risk an uncontrolled failure of the Interconnection.”

EOP-003-1 R5 provides: “A Transmission Operator or Balancing Authority shall implement load shedding in steps established to minimize the risk of further uncontrolled separation, loss of generation, or system shutdown.”

EOP-003-1 R5 has a “High” VRF and a “Severe” VSL. The subject violation applies to COCS’s TOP function.

On October 2, 2012, Texas RE performed a Spot Check of COCS and determined that during the Event, COCS failed to achieve and maintain the amount of load shed as directed by ERCOT and therefore did not implement load shedding in steps established to minimize risk of further uncontrolled separation, loss of generation, or system shutdown as required by the Standard.

During the Event, ERCOT declared an EEA – 3 at 5:43 am and subsequently issued directives to COCS to implement load shedding. COCS did not shed its share 11.6 MW of the maximum ERCOT total load shed of 4,000 MW during the time period required by the ERCOT directive. Further, COCS did not maintain its portion of the load shed per ERCOT directives at other times.

At the time of the Event, COCS had a load shed policy that required COCS to implement an ERCOT directive to shed customer load in steps established to minimize the risk of further uncontrolled separation, loss of generation, or system shutdown. However, due to errors in the calculation of its load shed obligation and execution of its feeder switching, COCS did not achieve its initial load shed obligation and failed to maintain the amount of load shed as directed by ERCOT during the specified timeframes. During the Event, COCS had seven errors in executing ERCOT’s directive, and the errors lasted from 4 minutes to 24 minutes. COCS missed its load shedding obligation by as much as 90% for a period of 17 minutes.

Texas RE determined the duration of the violation to be one day, February 2, 2011, the day of the Event.

Texas RE determined that the violations of EOP-001-0 R3 and EOP-003-1 R5 posed a moderate and not serious or substantial risk to the reliability of the bulk power system (BPS). Specifically, COCS’s failure to implement correctly its plan for load shedding resulted in a failure to achieve its load shed obligation

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of 11.6 MW by about 90% for 17 minutes during the period of the highest ERCOT load shed amount of 4,000 MW. However, the risk to the reliability of the BPS was mitigated by the following factors. In total, COCS failed to supply 9.2 MWh of its load-shed obligation of 50.3 MWh in 88 minutes of the 414 total minutes it was obligated to shed its load. COCS's largest variance in meeting its load shed was 10.5 MW, which is 90% of COCS's total obligation of 11.6 MW but 0.26% of the total megawatts shed by ERCOT at the time that ERCOT was shedding 4,000 MW.

#### Regional Entity's Basis for Penalty

According to the Settlement Agreement, Texas RE has assessed a penalty of twelve thousand dollars (\$12,000) for the referenced violations. In reaching this determination, Texas RE considered the following factors:

1. the violations constituted COCS's first occurrence of violations of the subject NERC Reliability Standards;
2. COCS was cooperative throughout the compliance enforcement process;
3. COCS had a compliance program at the time of the violation which Texas RE considered a mitigating factor;<sup>5</sup>
4. there was no evidence of any attempt to conceal a violation nor evidence of intent to do so;
5. Texas RE determined that the violations did not pose a serious or substantial risk to the reliability of the BPS, as discussed above; and
6. Texas RE reported that there were no other mitigating or aggravating factors or extenuating circumstances that would affect the assessed penalty.

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<sup>5</sup> Texas RE determined that the following confirmed a strong commitment by COCS to promote a healthy compliance culture within the organization: 1) organizational structure of COCS; 2) the extensive participation by COCS during the Spot Check; 3) the responses provided to the compliance culture survey performed by COCS and 4) the detailed documentation, training, and updates of procedures and records following the February 2, 2011 Event.

COCS management established a COCS Compliance Management System (CMS) to support COCS's commitment to comply with all applicable Reliability Standards and regulations. COCS has developed a comprehensive compliance manual that includes processes and activities currently identified as necessary to assure compliance and respond appropriately to violations. The CMS is managed by a senior management designated compliance manager who reports to the director of electric utility and chairs the COCS electric reliability oversight committee. The CMS is regularly reviewed, employees receive quarterly NERC and Texas RE compliance awareness training, and each level of the organization has compliance responsibilities.

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After consideration of the above factors, Texas RE determined that, in this instance, the penalty amount of twelve thousand dollars (\$12,000) is appropriate and bears a reasonable relation to the seriousness and duration of the violations.

### **Status of Mitigation Plans<sup>6</sup>**

COCS's Mitigation Plan to address its violation of EOP-001-0 R3 was submitted as complete to Texas RE on June 17, 2013.<sup>7</sup> The Mitigation Plan was accepted by Texas RE on June 17, 2013 and approved by NERC on June 20, 2013. The Mitigation Plan for this violation is designated as TREMIT008288-1 and was submitted as non-public information to FERC on June 20, 2013 in accordance with FERC orders.

COCS's Mitigation Plan to address its violation of EOP-003-1 R5 was submitted as complete to Texas RE on June 17, 2013. The Mitigation Plan was accepted by Texas RE on June 17, 2013 and approved by NERC on June 20, 2013. The Mitigation Plan for this violation is designated as TREMIT009451 and was submitted as non-public information to FERC on June 20, 2013 in accordance with FERC orders.

COCS's Mitigation Plans required COCS to take the following actions:

1. As soon as the error in calculation of COCS's share of the ERCOT load shed was discovered, COCS took every measure necessary to correct the actions. This was completed on the day of the Event;
2. Complete a dispatch analysis of the Event; and
3. Make necessary modifications, based on the dispatch analysis, to its emergency load shedding process and its emergency plan to further minimize the reoccurrence of similar violations in the future. This activity was completed on April 13, 2011.

COCS certified on June 17, 2013 that the above Mitigation Plans requirements were completed on April 13, 2013. As evidence of completion of its Mitigation Plans, COCS submitted a document *COCS Initial Comments to PV.pdf*.

On June 18, 2013, after reviewing COCS's submitted evidence, Texas RE verified that COCS's Mitigation Plans were completed on April 13, 2013.

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<sup>6</sup> See 18 C.F.R § 39.7(d)(7).

<sup>7</sup> Texas RE rejected the mitigation plan for TRE2012011232 on June 14, 2013 and requested that COCS provide additional information regarding the mitigation steps performed.

## Statement Describing the Assessed Penalty, Sanction or Enforcement Action Imposed<sup>8</sup>

### Basis for Determination

Taking into consideration the Commission's direction in Order No. 693, the NERC Sanction Guidelines and the Commission's July 3, 2008, October 26, 2009 and August 27, 2010 Guidance Orders,<sup>9</sup> the NERC BOTCC reviewed the Settlement Agreement and supporting documentation on August 13, 2013. The NERC BOTCC approved the Settlement Agreement, including Texas RE's assessment of a twelve thousand dollar (\$12,000) financial penalty against COCS and other actions to facilitate future compliance required under the terms and conditions of the Settlement Agreement. In approving the Settlement Agreement, the NERC BOTCC reviewed the applicable requirements of the Commission-approved Reliability Standards and the underlying facts and circumstances of the violations at issue.

In reaching this determination, the NERC BOTCC considered the following factors:

1. the violations constituted COCS's first occurrence of violations of the subject NERC Reliability Standards;
2. Texas RE reported that COCS was cooperative throughout the compliance enforcement process;
3. COCS had a compliance program at the time of the violation which Texas RE considered a mitigating factor, as discussed above;
4. there was no evidence of any attempt to conceal a violation nor evidence of intent to do so;
5. Texas RE determined that the violations did not pose a serious or substantial risk to the reliability of the BPS, as discussed above; and
6. Texas RE reported that there were no other mitigating or aggravating factors or extenuating circumstances that would affect the assessed penalty.

For the foregoing reasons, the NERC BOTCC approved the Settlement Agreement and believes that the assessed penalty of twelve thousand dollars (\$12,000) is appropriate for the violations and circumstances at issue, and is consistent with NERC's goal to promote and ensure reliability of the BPS.

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<sup>8</sup> See 18 C.F.R. § 39.7(d)(4).

<sup>9</sup> *North American Electric Reliability Corporation*, "Guidance Order on Reliability Notices of Penalty," 124 FERC ¶ 61,015 (2008); *North American Electric Reliability Corporation*, "Further Guidance Order on Reliability Notices of Penalty," 129 FERC ¶ 61,069 (2009); *North American Electric Reliability Corporation*, "Notice of No Further Review and Guidance Order," 132 FERC ¶ 61,182 (2010).

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Pursuant to 18 C.F.R. § 39.7(e), the penalty will be effective upon expiration of the 30 day period following the filing of this Notice of Penalty with FERC, or, if FERC decides to review the penalty, upon final determination by FERC.

**Attachments to be Included as Part of this Notice of Penalty**

- a) Settlement Agreement by and between Texas RE and COCS, and Addendum A to the Settlement Agreement, included as Attachment a;
- b) Spot Check for EOP-001-0 R3 for dated October 15, 2012, included as Attachment b;
- c) Spot Check for EOP-003-1 R5 for dated June 13, 2013, included as Attachment c;
- d) COCS's Mitigation Plan designated as TREMIT008288-1 for EOP-001-0 R3 submitted June 17, 2013, included as Attachment d;
- e) COCS's Mitigation Plan designated as TREMIT009451 for EOP-003-1 R5 submitted June 17, 2013, included as Attachment e;
- f) COCS's Certification of Mitigation Plan Completion for EOP-001-0 R3 submitted June 17, 2013 included as Attachment f;
- g) COCS's Certification of Mitigation Plan Completion for EOP-003-1 R5 submitted June 17, 2013 included as Attachment g;
- h) Texas RE's Verification of Mitigation Plan Completion for EOP-001-0 R3 dated June 18, 2013, included as Attachment h; and
- i) Texas RE's Verification of Mitigation Plan Completion for EOP-003-1 R5 dated June 18, 2013, included as Attachment i.



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**Notices and Communications:** Notices and communications with respect to this filing may be addressed to the following:

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<p>Derrick Davis*                  Director, Enforcement, Reliability Standards &amp;                  Registration                  Texas Reliability Entity, Inc.                  805 Las Cimas Parkway                  Suite 200                  Austin, TX 78746                  (512) 583-4923                  (512) 233-2233 – facsimile                  derrick.davis@texasre.org</p>	<p>Timothy Crabb*                  Director of Electric Utilities                  City of College Station                  P.O. Box 9960 – Mailing Address                  College Station, TX 77842-0960                  1601 Graham Road – Physical Address                  College Station, TX 77845                  (979) 764-3493                  (979) 764-3452 – facsimile                  tcrabb@cstx.gov</p>

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\*Persons to be included on the Commission’s service list are indicated with an asterisk. NERC requests waiver of the Commission’s rules and regulations to permit the inclusion of more than two people on the service list.

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**Conclusion**

NERC respectfully requests that the Commission accept this Notice of Penalty as compliant with its rules, regulations and orders.

Respectfully submitted,

/s/ Sonia Mendonça

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cc: City of College Station  
Texas Reliability Entity, Inc.

Attachments

## **Attachment a**

# **Settlement Agreement by and between Texas RE and COCS, and Addendum A to the Settlement Agreement**

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**SETTLEMENT AGREEMENT**  
**OF**  
**TEXAS RELIABILITY ENTITY, INC.**  
**AND**  
**CITY OF COLLEGE STATION**

**I. INTRODUCTION**

1. North American Electric Reliability Corporation (NERC) delegated authority to Texas Reliability Entity, Inc. to become the regional entity for the ERCOT region effective July 1, 2010, pursuant to Section 215(e)(4) of the Federal Power Act. NERC also delegated to Texas Reliability Entity, Inc. the authority and responsibility for the continuation of all compliance monitoring and enforcement activities that it had previously delegated to Texas Regional Entity (a division of Electric Reliability Council of Texas, Inc.). The term "Texas RE" is used herein to refer to both Texas Regional Entity and Texas Reliability Entity, Inc.
2. Texas RE and City of College Station ("COCS") enter into this Settlement Agreement ("Settlement Agreement") to resolve all outstanding issues arising from a preliminary and non-public assessment resulting in Texas RE's determination and findings, pursuant to the North American Electric Reliability Corporation ("NERC") Rules of Procedure, of two alleged violations by COCS of NERC Reliability Standard EOP-001-0 R3 (NERC Violation ID No. TRE2012011232) and EOP-003-1 R5 (NERC Violation ID No. TRE2013012473).
3. COCS admits the violations of NERC Reliability Standard EOP-001-0 R3 and EOP-003-1 R5 and has agreed to the proposed penalty of twelve thousand dollars (\$12,000) to be assessed to COCS, in addition to other remedies and mitigation actions to mitigate the instant alleged violations and facilitate future compliance under the terms and conditions of the Settlement Agreement.

**II. STIPULATION**

4. The facts stipulated herein are stipulated solely for the purpose of resolving, between COCS and Texas RE, the matters discussed herein and do not constitute stipulations or admissions for any other purpose. The attached Disposition Document is incorporated herein in its entirety. COCS and Texas RE hereby stipulate and agree to the following:

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**Background**

5. See Section I of the Disposition Document for a description of COCS.

**Violations of NERC Reliability Standard EOP-001-0 R3 and EOP-003-1 R5**

6. See Section II of the Disposition Document for the description of the violations.

**III. PARTIES' SEPARATE REPRESENTATIONS****STATEMENT OF TEXAS RE AND SUMMARY OF FINDINGS**

7. Texas RE performed a spot check of COCS on October 2, 2012 and determined COCS had possible noncompliance with load shedding directed by the Electric Reliability Council of Texas (ERCOT). During the February 2, 2011 cold weather related event (the Event) reserve margins in the ERCOT region fell during the morning due to cold weather related generating unit forced outages and de-ratings. This resulted in ERCOT declaring an Energy Emergency Alert - 3 (EEA-3) at 05:43 that morning and making a hot-line call to inform entities in ERCOT of the EEA-3 and on-line reserve levels. An EEA-3 is declared when there is difficulty in maintaining a system frequency of 59.8 Hz and firm load will need to be shed. During the call, ERCOT issued the first directive to shed 1000 MW of firm load (including COCS). The firm load had 30 minutes to meet their load shed obligation. At 06:04, 21 minutes after issuing its first order for 1000 MW of firm load shed, ERCOT issued another directive shedding an additional 1000 MW of firm load. At 06:23, 19 minutes after issuing the second order for 1000 MW of firm load shed, ERCOT issued a third load shed directive for an additional 2000 MW firm load (4000 MW total). ERCOT issued directives from 07:57 to 13:07 that gradually restored the firm load.
8. Texas RE agrees that this agreement is in the best interest of the parties and in the best interest of bulk power system reliability.

**STATEMENT OF City of College Station**

9. COCS admits that the facts set forth and agreed to by the parties for purposes of this Agreement constitute violations of EOP-001-0 R3 and EOP-003-1 R5. COCS believes the mitigating factors completed will prevent a similar violation from occurring in the future.
10. In the best interest of both parties City of College Station has entered into the Settlement Agreement. COCS agrees to enter into this Settlement Agreement with Texas RE to avoid extended litigation with respect to the matters described or referred to herein, to avoid uncertainty, and to effectuate a complete and final resolution of the issues set forth herein. COCS agrees that this agreement is in the

best interest of the parties and in the best interest of maintaining a reliable electric infrastructure.

#### **IV. MITIGATING ACTIONS, REMEDIES AND SANCTIONS**

11. Texas RE and COCS agree that COCS has completed and Texas RE has verified completion of the mitigating actions set forth in Section IV of the Disposition Document. Further, Texas RE has verified that COCS has completed the additional actions addressed in Section IV of the Disposition Document (if any). The Mitigating Actions, Remedies and Sanctions are discussed in detail in the Disposition Document.
12. In order to facilitate Texas RE's need to communicate the status and provide accountability to the ERO (NERC), COCS will provide updates quarterly, or more frequently, upon request by Texas RE. COCS will submit these status updates to Texas RE in accordance with the confidentiality provisions of Section 1500 of the NERC Rules of Procedure.
13. It is understood that Texas RE staff shall audit the progress of mitigation plans and any other remedies of this Agreement, including, but not limited to site inspection, interviews, and request other documentation to validate progress and/or completion of the mitigation plans and any other remedies of this Agreement. Texas RE shall reasonably coordinate audits and information requests with COCS related to this Agreement.
14. Texas RE staff also consider the specific facts and circumstances of the violations and COCS's actions in response to the violations in determining a proposed penalty that meets the requirement in Section 215 of the Federal Power Act that "[a]ny penalty imposed under this section shall bear a reasonable relation to the seriousness of the violation and shall take into consideration the efforts of such user, owner, or operator to remedy the violation in a timely manner."<sup>1</sup> The factors considered by Texas RE staff in the determination of the appropriate penalty are set forth in Section V of the Disposition Document.
15. Based on the above factors, as well as the mitigation actions and preventative measures taken, COCS shall pay the monetary penalty of \$12,000 to Texas RE, within thirty days after the Agreement is either approved by the Federal Energy Regulatory Commission or by operation of law, and Texas RE shall notify NERC if the payment is not received.
16. Failure to make a timely penalty payment or to comply with any of the terms and conditions agreed to herein, or any other conditions of this Settlement Agreement, shall be deemed to be either the same alleged violations that initiated this Settlement and/or additional violation(s) and may subject COCS to new or additional

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<sup>1</sup> 16 U.S.C. § 824o(e)(6).

enforcement, penalty or sanction actions in accordance with the NERC Rules of Procedure.

17. If COCS does not make the monetary penalty payment above at the times agreed by the parties, interest payable to Texas RE will begin to accrue pursuant to the Commission's regulations at 18 C.F.R. § 35.19(a)(2)(iii) from the date that payment is due, in addition to the penalty specified above. COCS shall retain all rights to defend against such additional enforcement actions in accordance with NERC Rules of Procedure.

## **V. ADDITIONAL TERMS**

18. The signatories to the Settlement Agreement agree that they enter into the Settlement Agreement voluntarily and that, other than the recitations set forth herein, no tender, offer or promise of any kind by any member, employee, officer, director, agent or representative of Texas RE or COCS has been made to induce the signatories or any other party to enter into the Settlement Agreement.
19. Texas RE shall report the terms of all settlements of compliance matters to NERC. NERC will review the settlement for the purpose of evaluating its consistency with other settlements entered into for similar violations or under other, similar circumstances. Based on this review, NERC will either approve the settlement or reject the settlement and notify Texas RE and COCS of changes to the settlement that would result in approval. If NERC rejects the settlement, NERC will provide specific written reasons for such rejection and Texas RE will attempt to negotiate a revised settlement agreement with COCS including any changes to the settlement specified by NERC. If a settlement cannot be reached, the enforcement process shall continue to conclusion. If NERC approves the settlement, NERC will (i) report the approved settlement to the Commission for the Commission's review and approval by order or operation of law and (ii) publicly post this Settlement Agreement.
20. This Settlement Agreement shall become effective upon the Commission's approval of the Settlement Agreement by order or operation of law as submitted to it or as modified in a manner acceptable to the parties.
21. COCS agrees that this Settlement Agreement, when approved by NERC and the Commission, shall represent a final settlement of all matters set forth herein and COCS waives its right to further hearings and appeal, unless and only to the extent that COCS contends that any NERC or Commission action on the Settlement Agreement contains one or more material modifications to the Settlement Agreement. Texas RE reserves all rights to initiate enforcement, penalty or sanction actions against COCS in accordance with the NERC Rules of Procedure in the event that COCS fails to comply with the Mitigation Plan and compliance program agreed to in this Settlement Agreement. In the event COCS fails to comply with any of the stipulations, remedies, sanctions or additional terms, as set forth in this Settlement Agreement, Texas RE will initiate enforcement, penalty, or sanction actions against COCS to the maximum extent allowed by the NERC Rules of



Procedure, up to the maximum statutorily allowed penalty. Except as otherwise specified in this Settlement Agreement, COCS shall retain all rights to defend against such enforcement actions, also according to the NERC Rules of Procedure.

22. COCS consents to the use of Texas RE's determinations, findings, and conclusions set forth in this Agreement for the purpose of assessing the factors, including the factor of determining the company's history of violations, in accordance with the NERC Sanction Guidelines and applicable Commission orders and policy statements. Such use may be in any enforcement action or compliance proceeding undertaken by NERC and/or any Regional Entity; provided, however, that COCS does not consent to the use of the specific acts set forth in this Settlement Agreement as the sole basis for any other action or proceeding brought by NERC and/or Texas RE, nor does COCS consent to the use of this Settlement Agreement by any other party in any other action or proceeding.
23. Each of the undersigned warrants that he or she is an authorized representative of the entity designated, is authorized to bind such entity and accepts the Settlement Agreement on the entity's behalf.
24. The undersigned representative of each party affirms that he or she has read the Settlement Agreement, that all of the matters set forth in the Settlement Agreement are true and correct to the best of his or her knowledge, information and belief, and that he or she understands that the Settlement Agreement is entered into by such party in express reliance on those representations., provided, however, that such affirmation by each party's representative shall not apply to the other party's statements of position set forth in Section III of this Settlement Agreement.
25. The Settlement Agreement may be signed in counterparts.
26. This Settlement Agreement is executed in duplicate, each of which so executed shall be deemed to be an original.



Agreed to and accepted:



W. Lane Lanford  
President & CEO  
Texas Reliability Entity, Inc.

8-20-13  
Date



Kathy Merrill  
Interim City Manager  
City of College Station

8-15-13  
Date



## Addendum A

### DISPOSITION OF VIOLATION<sup>1</sup>

**NERC TRACKING NO.**  
 TRE2012011232 EOP-001-0 R3  
 TRE2013012473 EOP-003-1 R5

**NOC#**

**REGISTERED ENTITY**  
 City of College Station

**NERC REGISTRY ID.**  
 NCR04032

**REGIONAL ENTITY**  
 Texas Reliability Entity, Inc. ("Texas RE")

### I. REGISTRATION INFORMATION

**ENTITY IS REGISTERED FOR THE FOLLOWING FUNCTIONS (BOTTOM ROW INDICATES REGISTRATION DATE):**

BA	DP	GO	GOP	IA	LSE	PA	PSE	RC	RP	RSG	TO	TOP	TP	TSP
	X													
	03/28/2007				02/09/2010						06/28/2007	05/04/2010	06/28/2007	

\* Violation applies to shaded functions

#### **DESCRIPTION OF THE REGISTERED ENTITY**

City of College Station ("COCS") is a non-opt in entity ("NOIE") and a non-generating transmission owner. COCS owns approximately 20 miles of 138 KV transmission with approximately 34,000 connected distribution meters. The COCS Electrical Department currently has 64 employees on staff. COCS is a City Council governed municipal electric utility.

<sup>1</sup> For purposes of this document and attachments hereto, each violation at issue is described as a "violation," regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

## II. VIOLATION INFORMATION

<b>RELIABILITY STANDARD</b>	<b>REQUIREMENT(S)</b>	<b>SUB-REQUIREMENT(S)</b>	<b>VRF(S)</b>	<b>VSL(S)</b>
EOP-001-0	R3	R3.3	Medium	High
EOP-003-1	R5		High	Severe

### **EOP-001-1**

The purpose statement of EOP-001-1 provides: “Each Transmission Operator and Balancing Authority needs to develop, maintain, and implement a set of plans to mitigate operating emergencies. These plans need to be coordinated with other Transmission Operators and Balancing Authorities, and the Reliability Coordinator.”

### **EOP-003-1**

The purpose statement of EOP-003-1 provides: “A Balancing Authority and Transmission Operator operating with insufficient generation or transmission capacity must have the capability and authority to shed load rather than risk an uncontrolled failure of the Interconnection.”

### **TEXT OF RELIABILITY STANDARD AND REQUIREMENT(S)/SUB-REQUIREMENT(S)**

#### **EOP-001-0 R3**

**R3.** Each Transmission Operator and Balancing Authority shall:

**R3.1.** Develop, maintain, and implement a set of plans to mitigate operating emergencies for insufficient generating capacity.

**R3.2.** Develop, maintain, and implement a set of plans to mitigate operating emergencies on the transmission system.

**R3.3.** Develop, maintain, and implement a set of plans for load shedding.

**R3.4.** Develop, maintain, and implement a set of plans for system restoration.

#### **EOP-003-1, R5**

**R5.** A Transmission Operator or Balancing Authority shall implement load shedding in steps established to minimize the risk of further uncontrolled separation, loss of generation, or system shutdown.

### **VIOLATION DESCRIPTION**

#### **EOP-001-0 R3 (TRE2012011232)**

Texas RE performed a spot check of COCS on October 2, 2012 and determined that the COCS plan for load shedding was not developed or maintained correctly. In fact, the plan did not include the amount of load that COCS was obligated to shed, or the sequence in which feeders were to be shed. For example, the plan for load shedding included a list of feeders from which to shed load but that list was not maintained because the list included 6 feeders for “future” that were actually connected to load and shed during the Event.

**EOP-003-1, R5 (TRE2013012473)<sup>2</sup>**

Texas RE performed a spot check of COCS on October 2, 2012 and determined that COCS did not implement load shedding in steps established to minimize risk because COCS failed to achieve and maintain the amount of load shed as directed by the Electric Reliability Council of Texas (ERCOT). During the February 2, 2011 cold weather related event (the Event), COCS did not achieve its maximum and also decreased its amount of shed load without direction from ERCOT. Specifically, COCS did not shed their share (11.6 MW) of the maximum ERCOT load shed (4000 MW) during the time period it was required by ERCOT directive. COCS also did not maintain their portion of the load shed per ERCOT directives at other times.

ERCOT declared an Energy Emergency Alert (EEA) 3 at 5:43 am February 2, 2011 and subsequently issued directives to COCS to implement load shedding in steps established to minimize the risk of further uncontrolled separation, loss of generation, or system shutdown. COCS did not implement load shedding in steps established to minimize the risk of further uncontrolled separation.

COCS at the time of the Event, had a load shed policy that required COCS to implement an ERCOT directive to shed customer load in steps established to minimize the risk of further uncontrolled separation, loss of generation, or system shutdown. However, COCS did not achieve its initial load shed obligation and failed to maintain the amount of load shed as directed by ERCOT during the specified timeframes listed below during the Event due to errors in the calculation of its load shed obligation and execution of its feeder switching. The errors are indicated in the table below:

TIME START	TIME END	TIME SPAN (MIN)	COCS SHED OBLIGATION (MW)	COCS AMOUNT SHED (MW)	COCS BELOW OBLIGATION (MW)	% COCS BELOW OBLIGATION
0646	0652	7	5.8	5.618	0.182	3.1%
0653	0716	24	11.6	5.618	5.982	51.6%
0717	0730	14	11.6	3.879	7.721	66.6%
0731	0743	13	11.6	2.914	8.686	74.9%
0744	0756	13	11.6	1.091	10.509	90.6%
0757	0800	4	10.15	1.091	9.059	89.3%
1023	1035	13	7.25	6.142	1.108	15.3%

<sup>2</sup> COCS and ERCOT registered for the Transmission Operator function via a Coordinated Functional Registration (CFR), effective April 1, 2010. The CFR includes a Responsibility Matrix that specifies the entities' respective compliance responsibilities. In the Responsibility Matrix COCS is designated as a Local Control Center or "LCC".

**RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL**
**EOP-003-1, R5 (TRE2013012473) & EOP-001-0 R3 (TRE2012011232)**

Texas RE determined this violation did not pose a serious or substantial risk to the bulk power system but had a moderate impact because COCS's failure to correctly implement its plan for load shedding resulted in a failure to achieve its load shed obligation by 90% for 17 minutes during the period of the highest ERCOT load shed amount (4000MW). For instance, in total COCS failed to supply 9.2 MWh of its obligation of 50.3 MWh in 88 minutes of the total of 414 minutes it was obligated to shed its load. However, COCS's largest variance in meeting its load shed was only 10.5 MW, which was only 0.26% of the total MW shed by ERCOT at a time that ERCOT was shedding 4000 MW. Furthermore, COCS was only obligated to shed 11.6 MW, 0.29% of the total MW shed by ERCOT, at the time that ERCOT was shedding 4000MW.

**IS THERE A SETTLEMENT AGREEMENT**

 Yes  No 
**WITH RESPECT TO THE ALLEGED/CONFIRMED VIOLATION, REGISTERED ENTITY**

Neither admits nor denies it (settlement only)   
 Admits to it   
 Does not contest it (Including within 30 days)

**WITH RESPECT TO THE ASSESSED PENALTY OR SANCTION, REGISTERED ENTITY**

Accepts it/Does not contest it

**III. DISCOVERY INFORMATION**
**METHOD OF DISCOVERY**

Self-Report   
 Self-Certification   
 Compliance Audit   
 Compliance Violation Investigation   
 Spot Check   
 Complaint   
 Periodic Data Submittal   
 Exception Reporting

**DURATION DATE(S)**

05/04/2010 until 04/13/2011 – EOP-001-0 R3<sup>3</sup>  
 02/02/2011 – EOP-003-1 R5

<sup>3</sup> The date of registration as a TOP until the compliant load shed plan was approved.

**DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY**

10/08/2012 - EOP-001-0 R3

06/13/2013 - EOP-003-1 R5

**Is the violation still occurring** Yes  No 
**Explain if yes**
**Remedial Action Directive issued** Yes  No 

### IV. MITIGATION INFORMATION

**MITIGATION PLAN NO.**

<u>NERC Mitigation Plan ID</u>	<u>Violation ID</u>	<u>Requirement</u>	<u>Submitted On Date</u>
TREMIT008288-1	TRE2012011232	EOP-001-0 R3	6/17/2013
TREMIT009451	TRE2013012473	EOP-003-1 R5	6/17/2013

**Date Accepted by Regional Entity** 6/17/2013 (both plans)

**Date approved by NERC** 06/20/2013 (both plans)

**Date provided to FERC** 06/20/2013 (both plans)

**Identify and explain all prior versions that were accepted or rejected, if applicable**

Texas RE rejected the mitigation plan for TRE2012011232 (EOP-001-0 R3) on June 14, 2013 and requested the entity provide additional information regarding the mitigation steps performed.

**MITIGATION PLAN COMPLETED** Yes  No 

<u>NERC Mitigation Plan ID</u>	<u>Expected Completion</u>	<u>Requirement</u>
TREMIT008288-1	04/13/2011	EOP-001-0 R3
TREMIT009451	04/13/2011	EOP-003-1 R5

**Extensions granted** N/A

**Date of Certification Letter** 6/17/2013 (both plans)

**Certified as complete by Registered Entity as of** 4/13/2011 (both plans)

**Date of Verification Letter** 6/18/2013 (both plans)

**Verified actually complete by Regional Entity as of** 4/13/2011 (both plans)

**Actions taken to mitigate the issue and prevent recurrence**

**Actions taken for TRE2012011232 and TRE2013012473:**

COCS's mitigation plan addressed the load shed implementation issue and will prevent or minimize the probability that further violations of the same or similar reliability standards will occur.

(1) As soon as the error in calculation of COCS's share of the ERCOT load shed was discovered, COCS took every measure necessary to correct the actions. This was completed the day of the event, 02/02/2011.

(2) A Dispatch Analysis of the events on 02/02/2011 was completed on 02/07/2011.

(3) Per the results of the Dispatch Analysis, COCS made necessary modifications to its Emergency Load Shedding Process and its EEA-UFLS Plan to further minimize the probability of similar violations in the future. This was completed on 04/13/2011.

**List of evidence reviewed by Regional Entity to evaluate completion of Mitigation Plan or Milestones (for cases in which mitigation is not yet completed, list evidence reviewed for completed milestones)**

**Evidence provided for TRE2012011232 and TRE2013012473:**

(1) COCS\_Initial\_Comments\_to\_PV, dated 10/19/2012

(2) Dispatch Analysis of EEA Level 3 Event, dated 2/7/2011

(3) Emergency Load Shedding Process V06.00, dated 4/13/2011

(4) EEA-UFLS Plan 2011 03 08, dated 4/13/2011

**V. PENALTY INFORMATION**

**ASSESSED PENALTY OR SANCTION**

\$12,000.00

**(1) Registered Entity's compliance history**

**Previous filed violations of any of the Reliability Standard(s) or Requirement(s) thereunder**

Yes

No

**List violations and status**





**Additional comments**

**Previously filed violations of other Reliability Standard(s) or Requirement(s) thereunder**

Yes  No

**List violations and status**

NERC filed Docket # NP12-27-000 with FERC on May 30, 2012 for TRE201100341 – PER-003-0, R1. On June 29, 2012, FERC issued an order stating it would not engage in further review.

NERC filed Docket # NP12-44-000 with FERC on August 31, 2012 for TRE201000171 – EOP-008-0, R1. On September 28, 2012, FERC issued an order stating it would not engage in further review.

**Additional comments**

The violations of PER-003-0, R1 and EOP-008-0, R1 were not considered aggravating factors in the penalty determination because it involved standards that are not the same or similar to the instant standard. Moreover, there was nothing in the record to suggest that broader corporate issues were implicated.

**(2) The degree and quality of cooperation by the Registered Entity**

**Full cooperation** Yes  No

**If no, explain**

**(3) The presence and quality of the Registered Entity's Compliance Program**

**Is there a documented compliance program**

Yes  No  Undetermined

**Explain**

The organizational structure of COCS, the extensive participation during the Spot Check by COCS, the responses provided to the compliance culture survey, the detailed documentation, training, and updates of procedures and records following the 2/2/2011 Event confirmed a strong commitment by COCS to promote a healthy compliance culture within organization.

**Explain Senior Management's Role and involvement with respect to the Registered Entity's Compliance Program, including whether senior management takes actions that support the compliance program, such as training, compliance as factor in employee evaluations, or otherwise.**

COCS Management established a COCS Compliance Management System to support COCS's commitment to comply with all applicable reliability standards and regulations. COCS has developed a comprehensive Compliance Manual that includes processes and activities currently identified as necessary to assure compliance and respond appropriately to violations, The System is managed by a senior management designated Compliance Manager who reports to the Director of Electric Utility and chairs the COCS Electric Reliability Oversight Committee. The compliance program is regularly reviewed, employees receive quarterly NERC and TRE compliance awareness training, and each level of the organization has Compliance System responsibilities.

**(4) Any attempt by the Registered Entity to conceal the violation(s) or information needed to review, evaluate, or investigate the violation**

Yes  No

**Explain if Yes**

**(5) Any evidence the violation(s) were intentional**

Yes  No

**Explain if Yes**

**(6) Any other mitigating factors for consideration**

Yes  No

**Explain if Yes**

**(7) Any other aggravating factors for consideration**

Yes  No

**Explain if Yes**

**(8) Any other extenuating circumstances**

Yes  No

**Explain if Yes**

## OTHER RELEVANT INFORMATION

**Notice of Alleged Violation issued**

Date

Or N/A

**Settlement discussions commenced**

Date 6/14/2013  
Or N/A

**Notice of Confirmed Violation issued**

Date  
Or N/A

**Supplemental Record information**

Date(s)  
Or N/A

**Registered Entity response contested**

Findings   
Penalty   
Both   
Did not contest

**Hearing Requested**

Yes  No

Date  
Outcome  
Appeal Requested

**EXHIBITS**

- TRE2012011232\_SpotCheck
- TRE2012011232\_Mitigation Plan
- TRE2012011232\_MitPlanCertOfCompletion
- TRE2012011232\_Verification Notification
- TRE2013012473\_SpotCheck
- TRE2013012473\_Mitigation Plan
- TRE2013012473\_MitPlanCertOfCompletion
- TRE2013012473\_Verification Notification



**Attachment b**

**Spot Check for EOP-001-0 R3 for dated  
October 15, 2012**

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Violation - Discovery Record

Registered Entity: City of College Station  
NERC Registry ID: NCR04032

NERC Violation ID: TRE2012011232

Discovery Method: Spot Check

Date Submitted: October 15, 2012

Region Contact: David Bueche

Phone: 512-583-4948 Email: david.bueche@texasre.org

Standard: EOP-001-0 - Emergency Operations Planning

Purpose: Each Transmission Operator and Balancing Authority needs to develop, maintain, and implement a set of plans to mitigate operating emergencies. These plans need to be coordinated with other Transmission Operators and Balancing Authorities, and the Reliability Coordinator.

Requirement: R3

Each Transmission Operator and Balancing Authority shall:

Violated Sub-Req(s): R3.3

Violated Function(s): TOP

Init Determ a Vltn: October 08, 2012

Begin Date of Vltn: February 02, 2011

End Date: February 02, 2011

Notified of Vltn on: October 08, 2012

Potential Impact to BES: This violation did pose a serious or substantial risk to the bulk power system because during the 2/2/2011 load shed event in the ERCOT Region COCS failed to maintain and implement its load shedding plans.

Brief Vltn Descr. & Cause: The Spot Check team found deficiencies in the maintenance and implementation of manual load shedding plans on 2/2/2011 which led to COCS falling under its load shed obligation during an EEA-3 event in the ERCOT Region.

Alleged Violation:

Registered Entity  
Report/Response:

Risk Factor: Medium

Severity Level: VSL - High

Factual Basis:

**Attachment c**

**Spot Check for EOP-003-1 R5 for dated June  
13, 2013**

## Violation - Discovery Record

Registered Entity: City of College Station  
NERC Registry ID: NCR04032

NERC Violation ID: TRE2013012473

Discovery Method: Spot Check

Date Submitted: June 13, 2013

Region Contact: Calvin Daniels

Phone: 512-583-4974 Email: calvin.daniels@texasre.org

Standard: EOP-003-1 - Load Shedding Plans

Purpose: A Balancing Authority and Transmission Operator operating with insufficient generation or transmission capacity must have the capability and authority to shed load rather than risk an uncontrolled failure of the Interconnection.

Requirement: R5

A Transmission Operator or Balancing Authority shall implement load shedding in steps established to minimize the risk of further uncontrolled separation, loss of generation, or system shutdown.

Violated Sub-Req(s):

Violated Function(s): TOP

Init Determ a Vltn: June 13, 2013

Begin Date of Vltn: February 02, 2011

End Date: February 02, 2011

Notified of Vltn on: June 13, 2013

Potential Impact to BES: This violation did not pose a serious or substantial risk to the bulk power system but had a moderate impact because COCS's load shed obligation is only 0.29% of the ERCOT region load shed total. An entity must have the capability and authority to shed load rather than risk an uncontrolled failure of the Interconnection.

Brief Vltn Descr. & Cause: Texas RE performed a spot check of City of College Station (COCS) on October 2, 2012 and determined that COCS did not achieve and maintain the amount of load shed as directed by the Electric Reliability Council of Texas (ERCOT). During the February 2, 2011 cold weather related event (the Event), COCS did not achieve its maximum and also decreased its amount of shed load without direction from ERCOT. Specifically, COCS did not shed their share (11.6 MW) of the maximum ERCOT load shed (4000 MW) during the time period it was required by ERCOT directive. COCS also did not maintain their portion of the load shed per ERCOT directives at other times.

During the Event, ERCOT declared an Energy Emergency Alert (EEA) 3 at 5:43 am February 2, 2011 and subsequently issued directives to COCS to implement load shedding in steps established to minimize the risk of further uncontrolled separation, loss of generation, or system shutdown. COCS did not implement load shedding in steps established to minimize the risk of further uncontrolled separation.

COCS had at the time a load shed policy that required it to implement an ERCOT ISO directive to shed customer load in steps established to minimize the risk of further uncontrolled separation, loss of generation, or system shutdown. However, COCS did not achieve its initial load shed obligation during the Event, and also failed to maintain the amount of load shed as directed by ERCOT in the other instances due to errors in calculation of its load shed obligation and execution of its feeder switching.

Alleged Violation:

Registered Entity  
Report/Response:

Risk Factor: High

Severity Level: VSL - Severe

Factual Basis:



**Attachment d**

**COCS's Mitigation Plan designated as  
TREMIT008288-1 for EOP-001-0 R3  
submitted June 17, 2013**

## Mitigation Plan

Registered Entity: City of College Station

<u>Mit Plan Code</u>	<u>NERC Violation ID</u>	<u>Requirement</u>	<u>Violation Validated On</u>	<u>Mit Plan Version</u>
TREMIT008288-1	TRE2012011232	EOP-001-0 R3	02/05/2013	2

Mitigation Plan Submitted On: June 17, 2013

Mitigation Plan Accepted On: June 17, 2013

Mitigation Plan Proposed Completion Date: April 13, 2011

Actual Completion Date of Mitigation Plan:

Mitigation Plan Certified Complete by COCS001 On: June 17, 2013

Mitigation Plan Completion Verified by TRE On:

Mitigation Plan Completed? (Yes/No): No

## Section A: Compliance Notices

Section 6.2 of the NERC CMEP sets forth the information that must be included in a Mitigation Plan. The Mitigation Plan must include:

- (1) The Registered Entity's point of contact for the Mitigation Plan, who shall be a person (i) responsible for filing the Mitigation Plan, (ii) technically knowledgeable regarding the Mitigation Plan, and (iii) authorized and competent to respond to questions regarding the status of the Mitigation Plan. This person may be the Registered Entity's point of contact described in Section B.
  - (2) The Alleged or Confirmed Violation(s) of Reliability Standard(s) the Mitigation Plan will correct.
  - (3) The cause of the Alleged or Confirmed Violation(s).
  - (4) The Registered Entity's action plan to correct the Alleged or Confirmed Violation(s).
  - (5) The Registered Entity's action plan to prevent recurrence of the Alleged or Confirmed violation(s).
  - (6) The anticipated impact of the Mitigation Plan on the bulk power system reliability and an action plan to mitigate any increased risk to the reliability of the bulk power-system while the Mitigation Plan is being implemented.
  - (7) A timetable for completion of the Mitigation Plan including the completion date by which the Mitigation Plan will be fully implemented and the Alleged or Confirmed Violation(s) corrected.
  - (8) Implementation milestones no more than three (3) months apart for Mitigation Plans with expected completion dates more than three (3) months from the date of submission. Additional violations could be determined or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.
  - (9) Any other information deemed necessary or appropriate.
  - (10) The Mitigation Plan shall be signed by an officer, employee, attorney or other authorized representative of the Registered Entity, which if applicable, shall be the person that signed the Self Certification or Self Reporting submittals.
  - (11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.
- The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.
  - This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
  - If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
  - Regional Entity(ies) or NERC may reject Mitigation Plans that they determine to be incomplete or inadequate.
  - Remedial action directives also may be issued as necessary to ensure reliability of the bulk power system.
  - The user has read and accepts the conditions set forth in these Compliance Notices.

Section B: Registered Entity Information

B.1 Identify your organization:

Entity Name: City of College Station  
NERC Compliance Registry ID: NCR04032  
Address: P.O. BOX 9960  
College Station TX 77840

B.2 Identify the individual in your organization who will serve as the Contact to the Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan:

Name: Stacy Engelmann  
Title: Electric Compliance Officer  
Email: sengelmann@cstx.gov  
Phone: 979-764-3681

**Section C: Identification of Reliability Standard Violation(s) Associated with this Mitigation Plan**

C.1 This Mitigation Plan is associated with the following violation(s) of the reliability standard listed below:

Violation ID	Date of Violation	Requirement
Requirement Description		
TRE2012011232	05/04/2010	EOP-001-0 R3
Each Transmission Operator and Balancing Authority shall:		

C.2 Brief summary including the cause of the violation(s) and mechanism in which it was identified above:  
Please refer to attached document.

C.3 Provide any relevant information regarding the identification of the violation(s) associated with this Mitigation Plan:  
Please refer to attached document.

Section D: Details of Proposed Mitigation Plan

D.1 Identify and describe the action plan, including specific tasks and actions that your organization is proposing to undertake, or which it undertook if this Mitigation Plan has been completed, to correct the violation(s) identified above in Section C.1 of this form:

COCS's mitigation plan addressed the load shed implementation issue and will prevent or minimize the probability that further violations of the same or similar reliability standards will occur.

(1) As soon as the error in calculation of COCS's share of the ERCOT load shed was discovered, COCS took every measure necessary to correct the actions. This was completed the day of the event, 02/02/2011.

(2) A Dispatch Analysis of the events on 02/02/2011 was completed on 02/07/2011.

(3) Per the results of the Dispatch Analysis, COCS made necessary modifications to its Emergency Load Shedding Process and its EEA-UFLS Plan to further minimize the probability of similar violations in the future. Completed on 04/13/2011.

D.2 Provide the timetable for completion of the Mitigation Plan, including the completion date by which the Mitigation Plan will be fully implemented and the violations associated with this Mitigation Plan are corrected:

Proposed Completion date of Mitigation Plan: April 13, 2011

D.3 Milestone Activities, with completion dates, that your organization is proposing for this Mitigation Plan:

D.4 Additional Relevant Information (Optional)

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## Section E: Interim and Future Reliability Risk

### E.1 Abatement of Interim BPS Reliability Risk

While your organization is implementing the Mitigation Plan proposed in Section D of this form, the reliability of the Bulk Power System may remain at higher risk or be otherwise negatively impacted until the plan is successfully completed. To the extent they are, or may be, known or anticipated: (i) identify any such risks or impacts; and (ii) discuss any actions that your organization is planning to take or is proposing as part of the Mitigation Plan to mitigate any increased risk to the reliability of the bulk power system while the Mitigation Plan is being implemented:

Changes were made to the COCS Load Shed Process as part of the review that followed the event which should eliminate the human error in calculating the amount of load to be shed. There are no ongoing Mitigation Plans for this event.

### E.2 Prevention of Future BPS Reliability Risk

Describe how successful completion of the Mitigation Plan as laid out in Section D of this form will prevent or minimize the probability that your organization incurs further violations of the same or similar reliability standards requirements in the future:

Following the February 2, 2011 event, COCS reviewed its documented processes and procedures and added a load shed table showing the ERCOT request and COCS's responsibility during load shedding events in an effort to prevent further violations of the same or similar reliability standards requirements from occurring.

### E.3 Your organization may be taking or planning other action, beyond that listed in the Mitigation Plan, as proposed in Section D.1, to prevent or minimize the probability of incurring further violations of the same or similar standards requirements listed in Section C.1, or of other reliability standards. If so, identify and describe any such action, including milestones and completion dates:

COCS is checking with other TOP's and investigating other ways to eliminate human error in the future.

Section F: Authorization

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance and approval by NERC, and
- (b) If applicable, certifies that the Mitigation Plan, as laid out in Section D of this form, was completed (i) as laid out in Section D of this form and (ii) on or before the date provided as the 'Date of Completion of the Mitigation Plan' on this form, and
- (c) Acknowledges:
  - 1. I am Electric Compliance Officer of City of College Station
  - 2. I am qualified to sign this Mitigation Plan on behalf of City of College Station
  - 3. I have read and understand City of College Station's obligations to comply with Mitigation Plan requirements and ERO remedial action directives as well as ERO documents, including, but not limited to, the NERC Rules of Procedure and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  - 5. City of College Station Agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

Authorized Individual Signature: \_\_\_\_\_  
(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Authorized Individual

Name: Stacy Engelmann

Title: Electric Compliance Officer

Authorized On: June 14, 2013



**Attachment e**

**COCS's Mitigation Plan designated as  
TREMIT009451 for EOP-003-1 R5 submitted  
June 17, 2013**

## Mitigation Plan

Registered Entity: City of College Station

Mit Plan Code	NERC Violation ID	Requirement	Violation Validated On	Mit Plan Version
TREMIT009451	TRE2013012473	EOP-003-1 R5	06/14/2013	1

Mitigation Plan Submitted On: June 17, 2013

Mitigation Plan Accepted On: June 17, 2013

Mitigation Plan Proposed Completion Date: April 13, 2011

Actual Completion Date of Mitigation Plan:

Mitigation Plan Certified Complete by COCS001 On: June 17, 2013

Mitigation Plan Completion Verified by TRE On:

Mitigation Plan Completed? (Yes/No): No

## Section A: Compliance Notices

Section 6.2 of the NERC CMEP sets forth the information that must be included in a Mitigation Plan. The Mitigation Plan must include:

- (1) The Registered Entity's point of contact for the Mitigation Plan, who shall be a person (i) responsible for filing the Mitigation Plan, (ii) technically knowledgeable regarding the Mitigation Plan, and (iii) authorized and competent to respond to questions regarding the status of the Mitigation Plan. This person may be the Registered Entity's point of contact described in Section B.
  - (2) The Alleged or Confirmed Violation(s) of Reliability Standard(s) the Mitigation Plan will correct.
  - (3) The cause of the Alleged or Confirmed Violation(s).
  - (4) The Registered Entity's action plan to correct the Alleged or Confirmed Violation(s).
  - (5) The Registered Entity's action plan to prevent recurrence of the Alleged or Confirmed violation(s).
  - (6) The anticipated impact of the Mitigation Plan on the bulk power system reliability and an action plan to mitigate any increased risk to the reliability of the bulk power-system while the Mitigation Plan is being implemented.
  - (7) A timetable for completion of the Mitigation Plan including the completion date by which the Mitigation Plan will be fully implemented and the Alleged or Confirmed Violation(s) corrected.
  - (8) Implementation milestones no more than three (3) months apart for Mitigation Plans with expected completion dates more than three (3) months from the date of submission. Additional violations could be determined or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.
  - (9) Any other information deemed necessary or appropriate.
  - (10) The Mitigation Plan shall be signed by an officer, employee, attorney or other authorized representative of the Registered Entity, which if applicable, shall be the person that signed the Self Certification or Self Reporting submittals.
  - (11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.
- The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.
  - This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
  - If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
  - Regional Entity(ies) or NERC may reject Mitigation Plans that they determine to be incomplete or inadequate.
  - Remedial action directives also may be issued as necessary to ensure reliability of the bulk power system.
  - The user has read and accepts the conditions set forth in these Compliance Notices.

Section B: Registered Entity Information

B.1 Identify your organization:

Entity Name: City of College Station  
NERC Compliance Registry ID: NCR04032  
Address: P.O. BOX 9960  
College Station TX 77840

B.2 Identify the individual in your organization who will serve as the Contact to the Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan:

Name: Stacy Engelmann  
Title: Electric Compliance Officer  
Email: sengelmann@cstx.gov  
Phone: 979-764-3681

**Section C: Identification of Reliability Standard Violation(s) Associated with this Mitigation Plan**

C.1 This Mitigation Plan is associated with the following violation(s) of the reliability standard listed below:

Violation ID	Date of Violation	Requirement
Requirement Description		
TRE2013012473	02/02/2011	EOP-003-1 R5
A Transmission Operator or Balancing Authority shall implement load shedding in steps established to minimize the risk of further uncontrolled separation, loss of generation, or system shutdown.		

C.2 Brief summary including the cause of the violation(s) and mechanism in which it was identified above:

Please refer to attached document.

C.3 Provide any relevant information regarding the identification of the violation(s) associated with this Mitigation Plan:

Please refer to attached document.

Section D: Details of Proposed Mitigation Plan

D.1 Identify and describe the action plan, including specific tasks and actions that your organization is proposing to undertake, or which it undertook if this Mitigation Plan has been completed, to correct the violation(s) identified above in Section C.1 of this form:

COCS's mitigation plan addressed the load shed implementation issue and will prevent or minimize the probability that further violations of the same or similar reliability standards will occur.

(1) As soon as the error in calculation of COCS's share of the ERCOT load shed was discovered, COCS took every measure necessary to correct the actions. This was completed the day of the event, 02/02/2011.

(2) A Dispatch Analysis of the events on 02/02/2011 was completed on 02/07/2011.

(3) Per the results of the Dispatch Analysis, COCS made necessary modifications to its Emergency Load Shedding Process and its EEA-UFLS Plan to further minimize the probability of similar violations in the future. Completed on 04/13/2011.

D.2 Provide the timetable for completion of the Mitigation Plan, including the completion date by which the Mitigation Plan will be fully implemented and the violations associated with this Mitigation Plan are corrected:

Proposed Completion date of Mitigation Plan: April 13, 2011

D.3 Milestone Activities, with completion dates, that your organization is proposing for this Mitigation Plan:

D.4 Additional Relevant Information (Optional)

## Section E: Interim and Future Reliability Risk

### E.1 Abatement of Interim BPS Reliability Risk

While your organization is implementing the Mitigation Plan proposed in Section D of this form, the reliability of the Bulk Power System may remain at higher risk or be otherwise negatively impacted until the plan is successfully completed. To the extent they are, or may be, known or anticipated: (i) identify any such risks or impacts; and (ii) discuss any actions that your organization is planning to take or is proposing as part of the Mitigation Plan to mitigate any increased risk to the reliability of the bulk power system while the Mitigation Plan is being implemented:

CHanges were made to the COCS Load Shed Process as part of the review that followed the event which should eliminate the human error in calculating the amount of load to be shed. There are no ongoing Mitigation Plans for this event.

### E.2 Prevention of Future BPS Reliability Risk

Describe how successful completion of the Mitigation Plan as laid out in Section D of this form will prevent or minimize the probability that your organization incurs further violations of the same or similar reliability standards requirements in the future:

Following the February 2, 2011 event, COCS reviewed its documented processes and procedures and added a load shed table showing the ERCOT request and COCS's responsibility during load shedding events in an effort to prevent further violations of the same or similar reliability standards requirements from occurring.

### E.3 Your organization may be taking or planning other action, beyond that listed in the Mitigation Plan, as proposed in Section D.1, to prevent or minimize the probability of incurring further violations of the same or similar standards requirements listed in Section C.1, or of other reliability standards. If so, identify and describe any such action, including milestones and completion dates:

COCS is checking with other TOP's and investigating other ways to eliminate human error in the future.

Section F: Authorization

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance and approval by NERC, and
- (b) If applicable, certifies that the Mitigation Plan, as laid out in Section D of this form, was completed (i) as laid out in Section D of this form and (ii) on or before the date provided as the 'Date of Completion of the Mitigation Plan' on this form, and
- (c) Acknowledges:
  - 1. I am Electric Compliance Officer of City of College Station
  - 2. I am qualified to sign this Mitigation Plan on behalf of City of College Station
  - 3. I have read and understand City of College Station's obligations to comply with Mitigation Plan requirements and ERO remedial action directives as well as ERO documents, including, but not limited to, the NERC Rules of Procedure and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  - 5. City of College Station Agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

Authorized Individual Signature: \_\_\_\_\_  
(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Authorized Individual

Name: Stacy Engelmann

Title: Electric Compliance Officer

Authorized On: June 14, 2013



## **Attachment f**

**COCS's Certification of Mitigation Plan  
Completion for EOP-001-0 R3 submitted June  
17, 2013**

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## Certification of Mitigation Plan Completion

Submittal of a Certification of Mitigation Plan Completion shall include data or information sufficient for the Regional Entity to verify completion of the Mitigation Plan. The Regional Entity may request additional data or information and conduct follow-up assessments, on-site or other Spot Checking, or Compliance Audits as it deems necessary to verify that all required actions in the Mitigation Plan have been completed and the Registered Entity is in compliance with the subject Reliability Standard. (CMEP Section 6.6)

Registered Entity Name: City of College Station

NERC Registry ID: NCR04032

NERC Violation ID(s): TRE2012011232

Mitigated Standard Requirement(s): EOP-001-0 R3,

Scheduled Completion as per Accepted Mitigation Plan: April 13, 2011

Date Mitigation Plan completed: April 13, 2011

TRE Notified of Completion on Date: June 17, 2013

Entity Comment: This mitigation plan has been completed.

Additional Comments		
From	Comment	User Name
Entity	Please refer to attached document (COCS Initial Comments to PV.pdf).	Stacy Engelmann

Additional Documents			
From	Document Name	Description	Size in Bytes
Entity	COCS Initial Comments to PV.pdf	COCS Initial Comments to PV	100,422

I certify that the Mitigation Plan for the above named violation(s) has been completed on the date shown above and that all submitted information is complete and correct to the best of my knowledge.

Name: Stacy Engelmann

Title: Electric Compliance Officer

Email: sengelmann@cstx.gov

Phone:

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

## **Attachment g**

**COCS's Certification of Mitigation Plan  
Completion for EOP-003-1 R5 submitted June  
17, 2013**

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## Certification of Mitigation Plan Completion

Submittal of a Certification of Mitigation Plan Completion shall include data or information sufficient for the Regional Entity to verify completion of the Mitigation Plan. The Regional Entity may request additional data or information and conduct follow-up assessments, on-site or other Spot Checking, or Compliance Audits as it deems necessary to verify that all required actions in the Mitigation Plan have been completed and the Registered Entity is in compliance with the subject Reliability Standard. (CMEP Section 6.6)

Registered Entity Name: City of College Station

NERC Registry ID: NCR04032

NERC Violation ID(s): TRE2013012473

Mitigated Standard Requirement(s): EOP-003-1 R5,

Scheduled Completion as per Accepted Mitigation Plan: April 13, 2011

Date Mitigation Plan completed: April 13, 2011

TRE Notified of Completion on Date: June 17, 2013

Entity Comment: This mitigation plan has been completed.

Additional Comments		
From	Comment	User Name
Entity	Please refer to attached document (COCS Initial Comments to PV.pdf)	Stacy Engelmann

Additional Documents			
From	Document Name	Description	Size in Bytes
Entity	COCS Initial Comments to PV.pdf	COCS Initial Comments to PV	100,422

I certify that the Mitigation Plan for the above named violation(s) has been completed on the date shown above and that all submitted information is complete and correct to the best of my knowledge.

Name: Stacy Engelmann

Title: Electric Compliance Officer

Email: sengelmann@cstx.gov

Phone:

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

## **Attachment h**

**Texas RE's Verification of Mitigation Plan  
Completion for EOP-001-0 R3 dated June 18,  
2013**

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 E-Mail Notification Detail

**From:** noreply@oati.net  
**Sent:** 06/18/2013 13:51:13  
**To:** sengelmann@cstx.gov  
**Subject:** A Mitigation Plan has been verified as completed for City of College Station - TRE2012011232 [REDACTED]

**Please do not REPLY to this message. It was sent from an unattended mailbox and replies are not monitored.**

The following Mitigation Plan has been verified as completed by Texas RE.

Entity: **City of College Station - NCR04032**

NERC Violation ID: **TRE2012011232**

Standard Requirement: **EOP-001-0 R3**

Mitigation Plan submitted on: **06/17/2013** (Version **2**, for Program Year **2012**)

Proposed Completion Date: **04/13/2011**

Actual Completion Date: **04/13/2011**

Verification Date: **06/18/2013**

Region Reviewer: **Calvin Daniels**

Region Comment: **The approved mitigation plan contains the following corrective actions: 1. Corrective Action #1- As soon as the error in calculation of COCS's share of the ERCOT load shed was discovered, COCS took every measure necessary to correct the actions. This was completed the day of the event, 02/02/2011. 2. Corrective Action #2 - A Dispatch Analysis of the events on 02/02/2011 was completed on 02/07/2011. 3. Corrective Action #3 - Per the results of the Dispatch Analysis, COCS made necessary modifications to its Emergency Load Shedding Process and its EEA-UFLS Plan to further minimize the probability of similar violations in the future. Completed on 04/13/2011. To verify completion of the mitigation plan, Texas RE reviewed the following documents provided by the Registered Entity: 1. Corrective Action #1 – Document ID “COCS\_Initial\_Comments\_to\_PV”, dated 10/19/2012, contains a description of the error and response; Document ID “Dispatch Analysis of EEA Level 3 Event”, dated 2/7/2011, contains the listing of the feeder shedding performed to correct the error. 2. Corrective Action #2 – Document ID “Dispatch Analysis of EEA Level 3 Event”, dated 2/7/2011, contains the Dispatch Analysis. 3. Corrective Action #2 – Document ID “Emergency Load Shedding Process V06.00”, dated 4/13/2011, contains the corrected Emergency Load Shedding Process and Document ID “EEA-UFLS Plan 2011 03 08”, dated 4/13/2011, contains the corrected EEA-UFLS Plan.**

Based on evidence presented by City of College Station and reviewed by Texas RE, this email confirms the above mentioned mitigation plan is complete. If you have any questions, please feel free to contact Calvin Daniels directly or through [mitigation@texasre.org](mailto:mitigation@texasre.org).

**Note:** This is a webCDMS application generated message. Please do NOT respond to this email. If you have questions, please contact [webcdms@texasre.org](mailto:webcdms@texasre.org).

[REDACTED]

[OATI Information - Email Template: MitPlan\_Completed]

[REDACTED]

## **Attachment i**

**Texas RE's Verification of Mitigation Plan  
Completion for EOP-003-1 R5 dated June 18,  
2013**

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 E-Mail Notification Detail

**From:** noreply@oati.net  
**Sent:** 06/18/2013 13:52:58  
**To:** sengelmann@cstx.gov  
**Subject:** A Mitigation Plan has been verified as completed for City of College Station - TRE2013012473 [REDACTED]

**Please do not REPLY to this message. It was sent from an unattended mailbox and replies are not monitored.**

The following Mitigation Plan has been verified as completed by Texas RE.

Entity: **City of College Station - NCR04032**

NERC Violation ID: **TRE2013012473**

Standard Requirement: **EOP-003-1 R5**

Mitigation Plan submitted on: **06/17/2013** (Version **1**, for Program Year **2012**)

Proposed Completion Date: **04/13/2011**

Actual Completion Date: **04/13/2011**

Verification Date: **06/18/2013**

Region Reviewer: **Calvin Daniels**

Region Comment: **The approved mitigation plan contains the following corrective actions: 1. Corrective Action #1- As soon as the error in calculation of COCS's share of the ERCOT load shed was discovered, COCS took every measure necessary to correct the actions. This was completed the day of the event, 02/02/2011. 2. Corrective Action #2 - A Dispatch Analysis of the events on 02/02/2011 was completed on 02/07/2011. 3. Corrective Action #3 - Per the results of the Dispatch Analysis, COCS made necessary modifications to its Emergency Load Shedding Process and its EEA-UFLS Plan to further minimize the probability of similar violations in the future. Completed on 04/13/2011. To verify completion of the mitigation plan, Texas RE reviewed the following documents provided by the Registered Entity: 1. Corrective Action #1 – Document ID “COCS\_Initial\_Comments\_to\_PV”, dated 10/19/2012, contains a description of the error and response; Document ID “Dispatch Analysis of EEA Level 3 Event”, dated 2/7/2011, contains the listing of the feeder shedding performed to correct the error. 2. Corrective Action #2 – Document ID “Dispatch Analysis of EEA Level 3 Event”, dated 2/7/2011, contains the Dispatch Analysis. 3. Corrective Action #2 – Document ID “Emergency Load Shedding Process V06.00”, dated 4/13/2011, contains the corrected Emergency Load Shedding Process and Document ID “EEA-UFLS Plan 2011 03 08”, dated 4/13/2011, contains the corrected EEA-UFLS Plan.**

Based on evidence presented by City of College Station and reviewed by Texas RE, this email confirms the above mentioned mitigation plan is complete. If you have any questions, please feel free to contact Calvin Daniels directly or through [mitigation@texasre.org](mailto:mitigation@texasre.org).

**Note:** This is a webCDMS application generated message. Please do NOT respond to this email. If you have questions, please contact [webcdms@texasre.org](mailto:webcdms@texasre.org).

[REDACTED]

[OATI Information - Email Template: MitPlan\_Completed]

[REDACTED]